

Notice of Allowability

Application No.

10/644,285

Examiner

Gregory E. Webb

Applicant(s)

DENOME ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/19/03.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Gregory E. Webb
Primary Examiner
Art Unit: 1751

DETAILED ACTION

REASONS FOR ALLOWANCE

1. Claims 1-20 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. The closest prior art was found to be Ahmed et al (US 5,094,771), Julemont et al (US 4,740,327), Drapier et al (US 4,752,409), Dixit (US 4,836,946), Ahmed et al (US 4,968,445).
4. Ahmed '771 teaches a method of making an anhydrous gelled detergent composition (see cols. 13-14). Ahmed teaches a two stage mixing process in which the first stage silica, alumina and polyacrylate thickener are added. In the second stage, Ahmed teaches the addition of the phosphate and organic carrier. Ahmed therefore fails to teach the applicant's first hydration step using either the phosphate or the citrate. Ahmed further fails to teach the specific step of adding a water soluble dye after this hydration step and prior to the thickening step.
5. Ahmed further fails to provide the sufficient motivation to modify their process to have the specific steps in the specific order required by the instant claims.
6. Julemont teaches process similar to those claimed by applicant such as a two-stage mixing process and the use of phosphates in a thixotropic dishwashing detergent. Julemont however fails to teach these compositions to be anhydrous. Julemont further fails to teach the premixing of the hydratable builder and the specific use of water-soluble dyes.
7. Drapier teaches gel-like compositions using clay to thicken. Drapier teaches the use of polyphosphate. Drapier teaches a two-stage mixing process. But Drapier fails to teach the prehydrating of the hydratable builder, an anhydrous composition, and the use of water-soluble dyes.

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8. Similarly, the Dixit, Drapier and Ahmed '445 references also fail to teach the prehydrating of the hydratable builder, an anhydrous composition, and the use of water-soluble dyes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory E. Webb whose telephone number is 571-272-1325. The examiner can normally be reached on 9:00-17:30 (m-f).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 Gregory E. Webb
Primary Examiner
Art Unit 1751

gew

GREGORY WEBB
PRIMARY EXAMINER
6/8/05